ABSTRACT

Public Services – ACB Case – Allegation of disproportionate assets to the known sources of income against Sri S.Charles Umapathi, Municipal Commissioner (Retd.)Nellore Municipal Corporation, Nellore – Prosecution sanctioned – Judgment of the Spl.Judge for SPE & ACB Cases Nellore in C.C.No.21 of 2007 in Cr.No.1/RCA-NLR/2006 – Acquitted – Further action dropped – Orders – Issued

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**MUNICIAL ADMINISTRATION & URBAN DEVELOPMENT ( VIG.I.1) DEPARTMENT**

**G.O.RT.No. 62** **Dated: 08-02-2017**

**Read the following**

1. From the Director-General, ACB., Hyderabad Letter No.243/RCT-NNL/2005, dated:23-03-2006.
2. G.O.Ms.No.281, MA&UD (Vig.IV) Department, dated:24.04.2007.
3. G.O.Ms.No.282, MA&UD (Vig.IV) Department, dated:25-04-2007.
4. G.O.Rt.No.516, MA dated: 25-04-2007.
5. From the D.G., ACB Letter Rc.No. dated.16-05-2012.
6. G.O.Rt.No.229, MA&UD ( Vig.IV) Department, dated: 29-05-2013.
7. From the D.G., ACB Letter Rc.No.19/RCA-NNL/2006, dated: 08.082016.
8. Representation of Sri. Chrles Umapathi, the then Municipal Commissioner (Retd.) dated:30-08-2016.

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O R D E R:-

In the reference 1st read above, the Director-General, Anti Corruption Bureau has reported that the Accused Officer Sri S.Charles Umapathi, Municipal Commissioner, Nellore was trapped when he accepted Rs.50,000/- from the complainant and the Accused Officer is possession of disproportionate assets, worth Rs.26,06,603/- and the Accused Officer has failed to obtain prior permission for acquisition of certain properties and recommended to accord sanction for prosecution of the Accused Officer in a court of law also to initiate disciplinary action for his failure to furnishing Annual Property Returns and for violation of conduct Rules, 1964.

2. Accordingly, sanction was accorded for prosecution of the Accused Officer in respect of trap case and Disproportionate Assets case under Section 7, 13 (2) r/w Section 13 (1)(e) of PC Act, 1980 vide G.Os. 2nd and 3rd read above. Departmental action was also initiated by framing charges for his failure to furnish Annual Property Returns for violations of conduct rules 1964 vide G.O.4th read above.

3. In respect of the Trap Case, the Director General, Anti Corruption Bureau, in the reference 5th read above has furnished the Judgement of Hon'ble Spl. Judge for SPE & ACB Cases, Nellore dated.23.4.2012 in C.C.No.18/2007 against the Accused Officer, Sri. Sreepuram Charles Umapathi, the then Municipal Commissioner Nelore (Retd.) and requested to take necessary action against the Accused Officer, under Andhra Pradesh Revised Pension Rules, 1980 for withholding of Pensionary benefits, as he was convicted in C.C.No.18/2007. Accordingly Government after careful examination of the matter orders were issued withholding 100% cut in pension permanently and also withholding of DCRG in full against the A.O. Sri. S.Charles Umapathi, Municipal Commissioner (Retd.) vide G.O.6th read above.

4. In the reference 5th read above, the D.G., ACB has informed that in C.C.No.21/2007 the Special Judge for SPE & ACB Cases, Nellore pronounced Judgement on 30-06-2016 acquitting the Accused Officer Sri. Sreepuram Charles Umapathy, formerly Municipal Commissioner, Nellore in the case of disproportionate to the know source of income. The Hon'ble Judge for SPl. Judge for SPE & ACB

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Cases, Nellore has pronounced the Judgement on 13-06-2016 in C.C.No.21/2007 in Cr.No.1/RCA-NLR/2006 of ACB, Nellore Range Nellore as follows:-

> *"Since the Income of the accused is more than his assets and expenditure, the question of disproportionate assets does not arise at all. Thus, the prosecution has miserably failed to bring home the guilt of the accused for the offences levelled against him. Accordingly, I answer this point against the prosecution. "In the result the accused officer is found not guilty and he is acquitted under Section 248 (1) in Cr.PC. for the offence punishable under Sections 13 (2) r/w 13 (1) (e) of Prevention of Corruption Act, 1988. The bail bonds and surety bonds of the accused shall be in force for a period of six months, as per Section 437-A(1) Cr.P.C." the D.G., ACB has opinion that there are no grounds to prefer appeal against the acquittal judgement of the trial court.*

5. Government after careful examination of the matter hereby drop further action against Sri. Sreepuram Charles Umapathi, Municipal Commissioner (Retd.) Nellore Municipal Corporation, in the case of disproportionate assets to the known source of income as the Special Judge for SPE & ACB Cases, Nellore Range, Nellore in its order in C.C.No.21/2007 on 30-06-2016 has acquitted him.

6. The Director of Municipal Administration, Gorantla, A.P. Guntur shall take necessary action in the matter accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**R.KARIKAL VALAVEN**
**PRINCIPAL SECRETARY TO GOVERNMENT**

To
Sri S.Charles Umapathy, Municipal Commissioner (Retd) formerly Municipal Commissioner, Nellore Municipal Corporation.( **through Director of Municipal Administration., Gorantla, A.P. Guntur**)
The Director of Municipal Administration, Gorantla, A.P Guntur
The Director General, Anti Corruption Bureau, A.P. Vijayawada

**Copy to:-**

The Secretary to Vigilance Commission., APVC., Secretariat, Velegapudi,
The Principal Accountant General (A&E), A.P. Hyderabad
The District Collector, Nellore,
SF/SC.

**//FORWARDED :: BY ORDER//**

**SECTION OFFICER**